

Title of Report:	Progress from Berkshire West PCT post the “Six Lives” report
Report to be considered by:	Health Scrutiny Panel
Date of Meeting:	4 th October 2011

Purpose of Report: To review the progress in West Berkshire after the publication of the six lives reports.

Recommended Action: To question what further changes, if necessary, have been applied by Berkshire West PCT.

Healthier Select Committee Chairman	
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Supporting Information

1. Introduction – Six Lives Report

- 1.1 The Ombudsman published the report Six Lives: the provision of public services to people with a learning disability in March 2009. The Ombudsman required local authorities to report to Cabinet on actions taken.
- 1.2 This report was produced following the deaths of six adults with a learning disability which were first reported in the report Death By Indifference produced by Mencap (2007) and subsequently Healthcare for All (a report of the independent inquiry into the access to healthcare for people with learning disabilities) by Sir Jonathan Michael (2008).

2. What West Berkshire Council's response was

- 2.1 Following the publication of the Six Lives Report, West Berkshire Council reviewed the effectiveness of the local systems in place, and reviewed the capacity and capability of the local services for people with learning disabilities. Below is a report that was produced for what are now Adult Social Care senior managers. The report has been updated in August 2011 and the updated comments are shown in [blue](#).

Title: SIX LIVES REPORT

Date: 5th May 2010

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Introduction.

- 2.2 The purpose of this report is to provide Community Services Senior Management Team with information about the recommendations and local actions required in response to issues raised in the report by the Local Government and Parliamentary and Health Service Ombudsman, "Six Lives: The provision of public services to people with Learning Disabilities" published in March 2009.
- 2.3 This report describes six investigations and recommendations by the Ombudsman following Mencap's report, "Death by Indifference" in 2007 and the "Healthcare for All" published in July 2008.
- 2.4 All three reports relate to the deaths of six people with learning disabilities who died between 2003 and 2005, whilst in NHS or local authority care. They highlight significant failures in service across both health and social care leading to situations in which the six people with learning disabilities experienced unnecessary suffering and inappropriate care. Lack of leadership and a failure to understand the law in relation to disability discrimination and human rights are also identified as key factors.
- 2.5 In all six cases the people did not receive health care that would have been available to other people because either or both health and social care

organisations with responsibility for their care did not understand their needs or were unable to communicate adequately with them. Thus healthcare needs were not dealt with in a timely or appropriate way. All organisations concerned also were found to have significant failings in the way they responded to complaints made by the families concerned. It is not known if the people concerned would have survived and/or recovered had they received appropriate treatment in time. What is significant is the evidence in the reports of the degree of institutional failure involved in all six cases.

- 2.6 One of the people who died was a young woman from West Berkshire who died in the Royal Berkshire Hospital 2004. West Berkshire Council was not implicated in the complaint made by her mother or in the investigations of Independent Inquiry. Council staff have been involved in the work being done by the PCT as their response to the Six Lives report. This work is designed to be taken forward as part of joint working arrangements. (See attached – Six Lives Action Plan).
- 2.7 This report to the Senior Management Team is designed to constitute West Berkshire's review of the way it commissions and delivers services to people with learning disabilities.
- 2.8 In West Berkshire there are already a range of local measures in place that ensure that people with a learning disability receive services that take account of their healthcare needs and are proactive in helping them access the health care they need. These measures include the following:-
- A Safeguarding Forum that oversees all safeguarding matters in the local area and monitors the numbers and types of safeguarding issues that arise.
 - A Safeguarding service that complies with national and West of Berkshire Safeguarding procedures.
 - A Care Quality Board and care quality officers which monitor all regulated services locally and address with providers any specific issues of concern. The Care Quality Board consists of Safeguarding staff, Contracts and Commissioning staff, Care Management, and PCT Commissioning. This ensures that all known information about local provision is brought together and monitored. The care quality officers can also work with providers for time-limited periods to improve service provision.
 - Contracts and commissioning officers and care managers who also work together to ensure that any concerns about particular service provision are investigated thoroughly and action plans for improvement are put in place. This feeds into the information that goes to the Care Quality Board.
 - There is a local integrated Community Team for People with Learning Disability. This joint team is managed by 1 manager and the nurses in the team can assess and monitor general and particular health issues for people in West Berkshire. The Health staff in CTPLD also liaise with GP surgeries and support hospital admissions and discharges.
 - The West Berkshire Learning Disability Partnership Board contributed to the Berkshire West Health Self Assessment in March 2010 and also produced an Annual Report which addressed the Valuing People Now priorities on of which is Health. [The Health Self Assessment and the LDPB Annual Report are both in the process for being produced for 2011.](#)
 - The Learning Disability Partnership Board has a Health subgroup which will be piloting a monthly Health Drop-in service from June 2010. This will provide

individuals with a low- level monitoring and advice service for health related matters. The Health Drop in Service has been operating since June 2010 and generally has between 15 and 20 people using the service.

- Addendum September 2011. Given the recent Safeguarding concerns that have been published nationally about people with learning disabilities in long term care settings, it would be timely to write to all providers of services to people with a learning disability and ask them for assurance that they are compliant with the Disability Discrimination Act and are making reasonable adjustments to ensure that people with a learning disability are accessing the healthcare they need.

2.9 Poor complaints handling was a key feature of all six cases.

2.10 Six Lives Report recommended:

That all NHS and social care organisations in England should review urgently:

- The effectiveness of the systems they have in place to enable them to understand and plan to meet the full range of needs for people with learning disabilities in their areas; and
- The capacity and capability of the services they provide and/or commission for their local populations to meet the additional and often complex needs of people with learning disabilities.

Attached below is the Berkshire West PCT Six Lives Action Plan that sets out actions that apply to both the PCT and Local Authorities.

ACTION PLAN

ACTION	WHO IS RESPONSIBLE	TIMESCALE	MEASURE OF SUCCESS
1. Complete the Health Self Assessment Framework and agree priorities for 2010/11	The PCT via the Learning Disability Core Group and Learning Disability Partnership Boards	By 31/03/10 Completed.	Priorities will be achieved by March 2011
2. Complete the Learning Disability Partnership Board Annual Plan	Locality Managers via the three Learning Disability Partnership Boards	By 31/03/10 Completed.	Each local area will have agreed Health priorities in accordance with local need and the requirements of Six Lives, Valuing People Now, and the Health Self Assessment by September 2010 Local Priorities were to:- <ul style="list-style-type: none"> • Increase the

			<p>number of Health Action Plans</p> <ul style="list-style-type: none"> • Set up the Health Drop-in Service • Set up a Sexual Health and Relationship Group <p>All of these have been achieved</p>
3. Review the effectiveness of the new Joint Complaints Process for Health and Social Care	The PCT via the Learning Disability Core Commissioning Group in conjunction with Berkshire Healthcare Foundation Trust and the three Local Authorities.	By 31/03/2011	<p>All organisations will have agreed and will be following a joint complaints process.</p> <p>This process was delayed but a draft Joint Complaints Protocol has now been sent out by the PCT to all LAs (adult social care) and all Health Trusts across Berkshire.</p>
4. Increase the number of people with learning disabilities having an annual health check and Health Action Plans .	Learning Disability Core Group, CTPLDs, and Learning Disability Partnership Boards	By 31/03/11	<p>More people will have had improved access to primary health care.</p> <p>HAP target for 2010/11 was 100 At 31/03/11 265 had been achieved.</p>
5. Provide training for PCT Learning Disability staff on all aspects of healthcare for people with learning disabilities but with particular emphasis on Six Lives and the actions from the Health Self Assessment (At least 2 workshops)	Learning Disability Core Commissioning Group.	By 31/03/11	<p>Staff will be aware of and working to agreed priorities for providing healthcare to people with learning disabilities.</p> <p>(Half-day workshop took place on 10th May 2010 with a second in October.)</p>

<p>6 Review and monitor reasonable adjustments being made by local services to enable people with learning disabilities to access appropriate healthcare. This means that physical and mental health care for people with learning disabilities is considered equally in acute, secondary and primary care.</p>	<p>Learning Disability Commissioning Group</p>	<p>By March 2011</p>	<p>Good practice is recognised and shared and poor practice is challenged and improved.</p>
<p>7. Prepare evidence for the Care Quality Commission review of the provision of health services for people with learning disabilities.</p>	<p>Learning Disability Commissioning Group</p>	<p>By March 2011?</p>	<p>An action plan is developed following the review Outcome of review not yet known</p>
<p>8. Review the local implementation of the Green Light document</p>	<p>Learning Disability Commissioning Group and Learning Disability Partnership Boards</p>	<p>By March 2011</p>	<p>The mental health needs of people with a learning disability are more readily identified and treated. Presentation and discussion on the Green Light took place at LDPB in March 2011.</p>
<p>9. Develop a training strategy for Learning Disability which targets different groups and different levels of training, i.e.:- - Focussed training for LD professionals - General LD awareness for all health and social care staff via induction and Equality and Diversity training - Specialist training in MHA, MCA, Best Interest, autism - Training for specific</p>	<p>Learning Disability Commissioning Group and the Training managers of the PCT, Trusts and local authorities.</p>	<p>30/09/10</p>	<p>Appropriate training is available to ensure that staff in all health and social care settings can respond to people with learning disabilities appropriately.</p>

groups of acute sector staff via the Learning Disability Liason Nurse - Training for universal health and social care staff e.g dentists, opticians, Housing			
10. Implement the Action Plan agreed between the SHA and the PCT from the Health Self Assessment.	Learning Disability Commissioning Group and the subgroups from each Partnership Board	By March 2011	Health services for all people with learning disabilities show improvement. Review of Action Plan took place in March 2011. In general improvement s had been made but further actions were identified in workshop for 2011 Health Self Assessment.
11. Ensure that each Partnership Board receives a report at least once a year on the number and type of Safeguarding referrals that have been made in their local area.	Partnership Board Chairs and LA reps.	By March 2011	Partnership Boards are monitoring that people are safe in health and social care settings Jackie Bennett(Safeguarding manager) attended LDPB in November 2010 and gave presentation on Safeguarding in West Berkshire
12. Develop a West of Berkshire Autism Strategy	Learning Disability Partnership Manager for the PCT		PCT LD Partnership Manager has developed an Autism Action Plan .
13. Review the Discharge Planning process for people with learning disabilities from acute health settings	Learning Disability Commissioning Group with Learning Disability Liason nurse, BHCT staff, and LA managers	30/09/10	Better discharge planning is in place
14. Provide a Berkshire West Health Event to share local good practice from the Health self Assessment and Six	Learning Disability Partnership Boards Health Sub-Groups	30/12/10	Everyone has the opportunity to be involved in the development of health services. This took place in

Lives Report and engage with stakeholders on what other actions are required.			Reading in September 2011. A few West Berkshire service users attended.
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Alison Love – Locality Manager

June 2010.

3. Strategic Health Authority

3.1 The Strategic Health Authority requested that the PCT carry out the work required within their areas following the publication of the six lives report. In the progress report it noted that all PCTs had followed up and done the work required, however not all by the deadline of March 2010.

4. Berkshire West

4.1 Berkshire West PCT have carried out significant work since the publication of the Six Lives Report such as the appointment of a learning disability liaison nurse who although based at the Royal Berkshire Hospital, travels around the three Local Authorities in Berkshire West (West Berkshire Council, Reading Borough Council and Wokingham Borough Council).

4.2 Since the publication of the “Six Lives: Progress Report” detailing the aims, and work of the PCTs no further update has been given by Berkshire West PCT. Although structures and processes exist to ensure the PCT understands the needs of the people with a learning disability locally, further work is required to ensure that this includes the full range of needs and the development of the Joint Strategic Needs Assessment.

4.3 The Self Assessment portal created by the Public Health Observatory is a useful tool which has been set up. The portal gathers information from across England; it will help hospitals and other providers of health and social care, to understand better the needs of people with learning disabilities, and their families and carers. Appendix B has the feedback from Berkshire West PCT.

5. Recommendation

5.1 To note the briefing and consider what remedial action, if any, is required.

Appendices

Appendix A - Berkshire West PCT Six Lives Assurance Report